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GOVERNMENT OF GOA
Department of Law & Judiciary
Law (Establishment) Division

Notification

1-53-82/LD(Estt.)/Part/442

In exercise of the powers conferred by Articles 233 and 234 of the Constitution of India read with section 20 of the Goa, Daman and Diu Reorganization Act, 1987 (Central Act 18 of 1987) and after consultation with the Goa Public Service Commission and the High Court of Bombay, as required by the said articles 233 and 234 of the Constitution of India, the Governor of Goa hereby makes the following rules, so as to further amend the Goa Judicial Service Rules, 2013, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Judicial Service (Second Amendment) Rules, 2024.

(2) Save as otherwise provided herein, these rules shall come into force from the date of its publication in the Official Gazette.

2. *Amendment of rule 3.*— In rule 3 of the Goa Judicial Service Rules, 2013 (hereinafter referred to as the principal Rules”),

(i) with effect from 1st day of January, 2020, in sub-rule (4), in the table, in column No. (3),—

(a) for the figures “25%”, the figures “35%” shall be substituted;

(b) for the figures “10%”, the figures “15%” shall be substituted;

(ii) after sub-rule 5, the following sub-rule shall be inserted, namely:—

“(5A). If the Annual Confidential Report of a Civil Judge, Junior Division or a Senior Civil Judge, as the case may be, for the last year of the consideration period of conferment of ACP-I or ACP-II has not been finalized on or before 31st December of that year, the same will be considered as ‘Unavailable’ for the purpose of conferment of Assured Career Progression Scales. The case of such Judicial Officer be considered for conferment of ACP-I or ACP-II, as the case may be, by drawing average/mean of ACRs of available nearest preceding 4 years, for the period of said unavailable ACR.

(5B). If for any reason, delay in grant of benefit of ACP-I or ACP-II to a Civil

Judge, Junior Division or a Senior Civil Judge, as the case may be, goes beyond one year of entitlement, then unless otherwise directed by the Competent Authority, one additional increment for every year delay shall be granted subject to adjustment while drawing the arrears on grant of ACP or while recovering the excess amount on rejection of ACP, as the case may be.”.

3. *Substitution of rule 17.*— For rule 17 of the principal Rules, the following rule shall be substituted, namely:—

“17. *Addition of certain service for purpose of pension.*— An advocate appointed as a Civil Judge, Junior Division or a District Judge shall be entitled to reckon as service qualifying for Superannuation Pension, the actual period of practice put in by him at the Bar not exceeding three years or ten years respectively.

Explanation: This rule shall also apply to a District Judge appointed by nomination and who has superannuated prior to 01-01-2016.”.

By order and in the name of the
Governor of Goa.

Amir Y. Parab, Under Secretary (Law-Estt.).

Porvorim, 4th March, 2024.

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Legal Affairs Division

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Notification

7/9/2024-LA-57

The Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Act, 2024 (Goa Act 8 of 2024), which has been passed by the Legislative Assembly of Goa on 07-02-2024 and assented to by the Governor of Goa on 29-02-2024, is hereby published for the general information of the public.

Dnyaneshwar Raut Dessai, Joint Secretary
(Law).

Porvorim, 4th March, 2024.

The Goa Buildings (Lease, Rent and
Eviction) Control (Amendment)
Act, 2024

(Goa Act No. 8 of 2024) [29-02-2024]

AN

ACT

further to amend the Goa Buildings (Lease, Rent and Eviction) Control Act, 1968 (Act No. 2 of 1969).

BE it enacted by the Legislative Assembly of Goa in the Seventy-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Act, 2024.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Goa Buildings (Lease, Rent and Eviction) Control Act, 1968 (Act No. 2 of 1969) (hereinafter referred to as the “principal Act”),—

(i) clause (a) shall be re-numbered as clause (aa) and before clause (aa) so re-numbered, the following clause shall be inserted, namely:—

(a) “Agreement of leave and licence” means an agreement entered into by the landlord and the licensee containing the terms and conditions for using the building on leave and license;”;

(ii) after clause (d), the following clause shall be inserted, namely:—

“(da) “Deputy Collector” means the Deputy Collector having jurisdiction over the area where the building is situated;”;

(iii) after clause (i), the following clauses shall be inserted, namely:—

“(ia) “leave and license” means a permission granted by the landlord to the licensee for use of landlord’s building by the licensee for a specific period and purpose without transfer of landlord’s interest in the building;

(ib) "licensee" means a person who is permitted by the landlord to use his building on leave and license;"

3. *Substitution of section 23.*— For section 23 of the principal Act, the following section shall be substituted, namely:—

"23. *Landlord's right to obtain possession.*— (1) A landlord may, subject to the provisions of section 24, apply to the Controller for an order directing the tenant to put him in possession of the building,—

(a) if the landlord is not occupying a building of his own in the city, town or village concerned and requires it for his own occupation or for the occupation of any member of his family; or

(b) if the landlord who has more buildings than one in the city, town or village concerned, is in occupation of one such building and he bonafidely requires another building instead, for his own occupation:

Provided that a person who becomes a landlord after the commencement of the tenancy by an instrument 'inter vivos' shall not be entitled to apply under this sub-section before the expiry of five years from the date on which the instrument was registered:

Provided further that in case of gift from parents the above period of five years shall be reduced to two years:

Provided further that where a landlord has obtained possession of a building under this sub-section, he shall not be entitled to apply again under this section,—

(i) in case he has obtained possession of a residential building, for possession of another residential building of his own;

(ii) in case he has obtained possession of a non-residential building, for possession of another non-residential building of his own.

(2) Where the landlord of a building is a religious, charitable, educational or other public institution, it may, if the building is required for the purposes of the institution, apply to the Controller, subject to the provisions of section 24, for an order directing the tenant to put the institution in possession of the building.

(3) A landlord who is occupying only a part of a building, may notwithstanding anything in sub-section (1), apply to the Controller for an order directing any tenant occupying the whole or any portion of the remaining part of the building to put the landlord in possession thereof, if he requires additional part of the building for his own occupation or for the occupation of any member of his family.

Explanation:— For the purpose of this section, a landlord means a person, on account of or for the benefit of whom the rent of a building is received but does not include an agent, trustee, guardian or receiver."

4. *Insertion of new section 40A.*— After section 40 of the principal Act, the following section shall be inserted, namely:—

"40A. *Resumption of occupation of the building given on leave and license basis.*— (1) Notwithstanding anything contained in this Act, a licensee in occupation of any building given to him by a landlord on a leave and license basis, shall vacate such building and allow the landlord to resume his occupation immediately on expiry of the period of leave and license; and in case of failure of the licensee to so vacate the building, the landlord may apply to the Deputy Collector for an order of eviction of the licensee.

(2) On receipt of the application under sub-section (1), the Deputy Collector shall issue a notice to the licensee to show cause why an order of eviction shall not be passed against him.

(3) On receipt of the notice issued under sub-section (2), the licensee shall, in case

he desires to contest such application, file his reply showing the cause within a period of twenty days from the date of receipt of such notice.

(4) The period of twenty days to file the reply as specified in sub-section (3) may be extended by the Deputy Collector in exceptional cases, on sufficient cause being shown, by a period not more than sixty days from the date of receipt of the notice under sub-section (2).

(5) The Deputy Collector shall conduct an inquiry based solely on the documents and material produced before him. He shall consider the reply, if any, filed by the licensee and give the licensee an opportunity of being heard in the matter.

Explanation:— For the purpose of this section, the inquiry contemplated shall be a summary inquiry for the limited purpose of ascertaining that the building was subject matter of an agreement of leave and licence and that the period of such leave and license has expired.

(6) The Deputy Collector, on being satisfied that the period of the leave and licence has expired and the licensee has not vacated the building, shall pass an order of eviction of the licensee and also direct the licensee to pay to the landlord the damages at double the rate of the licence fee and other charges, if any, in respect of such building as fixed under the agreement of leave and licence, till the date he vacates such building.

(7) The Deputy Collector shall not entertain any claim of whatsoever nature from any other person who is not a licensee.

(8) The Deputy Collector shall decide the application under sub-section (1) within a period of six months from the date of its filing.

(9) Any licensee who fails to vacate the building given to him by the landlord on leave and licence basis after expiry of the leave and licence period, shall, on

conviction, be punished with imprisonment which may extend to three months or with fine not exceeding rupees one lakh or with both".

5. *Amendment of section 46.*— In section 46 of the principal Act, in sub-section (1), for the words "or the Rent Tribunal", the words "the Rent Tribunal or the Deputy Collector" shall be substituted.

6. *Amendment of section 47.*— In section 47 of the principal Act, in second proviso, for the words "or the Rent Tribunal", the words "the Rent Tribunal or the Deputy Collector" shall be substituted.

7. *Amendment of section 54.*— In section 54 of the principal Act, in sub-section (1),—

(i) the words "a simple imprisonment for a term which may extend to two years and" shall be omitted;

(ii) for the word "double", the words "five times" shall be substituted.

8. *Amendment of section 56.*— In section 56 of the principal Act, for the expression "the controller,", the expression "the controller, or the "Deputy Collector," shall be substituted.

	SANDIP JACQUES
Secretariat	Secretary to the Government
Porvorim, Goa.	of Goa, Law Department
4th March, 2024.	(Legal Affairs).

7/10/2024-LA-58

The Goa Staff Selection Commission (Amendment) Act, 2024 (Goa Act 9 of 2024), which has been passed by the Legislative Assembly of Goa on 09-02-2024 and assented to by the Governor of Goa on 29-02-2024, is hereby published for the general information of the public.

D. S. Raut Dessai, Joint Secretary (Law).

Porvorim, 4th March, 2024.

The Goa Staff Selection Commission
(Amendment) Act, 2024

(Goa Act 9 of 2024) [29-02-2024]

AN

ACT

*further to amend the Goa Staff Selection
Commission Act, 2019 (Goa Act 11 of 2019).*

BE it enacted by the Legislative Assembly
of Goa in the Seventy-fifth Year of the
Republic of India as follows:—

1. *Short title and commencement.*— (1) This
Act may be called the Goa Staff Selection
Commission (Amendment) Act, 2024.

(2) It shall be deemed to have come into
force on the 31st day of October, 2023.

2. *Amendment of section 7.*— In section 7
of the Goa Staff Selection Commission Act,
2019 (Goa Act 11 of 2019), in sub-section (8),
for the existing proviso, the following shall
be substituted, namely:—

“Provided that where advertisements for
filling up of the sub-ordinate services/posts
were issued prior to the 8th day of January,
2022, the concerned Department may
conduct examination and complete the
selection process of such sub-ordinate
services/posts not later than 30th day of
July, 2024.”.

3. *Repeal and savings.*— (1) The Goa Staff
Selection Commission (Second Amendment)
Ordinance, 2023 (Ordinance No. 4 of 2023) is
hereby repealed.

(2) Notwithstanding such repeal, anything
done or any action taken under the Goa Staff
Selection Commission Act, 2019 (Goa Act 11
of 2019) as amended by the said Ordinance,
shall be deemed to have been done or taken
under the said Act, as amended by this Act.

Secretariat	SANDIP JACQUES
Porvorim, Goa.	Secretary to the Government
4th March, 2024.	of Goa, Law Department
	(Legal Affairs).

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